

HAWKINSON

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

KAIFI LLC,) No. 2:20-CV-281-JRG
Plaintiff,)
v.)
T-MOBILE US, INC. and)
T-MOBILE USA, INC.,)
Defendants.)

DEPOSITION OF PETER RYSAVY

March 31, 2021

Wednesday

8:30 A.M.

THE VIDEOTAPED DEPOSITION OF PETER RYSAVY
was taken by remote videoconferencing set up by
Schmitt Reporting - Veritext Portland, 400 NW
Columbia Street, Suite 140, Vancouver, Washington,
before Sara Fahey Wilson, CSR, Certified Shorthand
Reporter in and for the State of Oregon.

<p>1 APPEARANCES</p> <p>2 (All counsel appearing by remote videoconference)</p> <p>3</p> <p>4 For the Plaintiff:</p> <p>5 IRELL & MANELLA</p> <p>6 1800 Avenue of the Stars, Suite 900</p> <p>7 Los Angeles, California 90067-4276</p> <p>8 310-277-1010</p> <p>9 BY: MR. JASON G. SHEASBY</p> <p>10 jsheasby@irell.com</p> <p>11</p> <p>12 For the Defendants:</p> <p>13 GIBSON DUNN</p> <p>14 2001 Ross Avenue, Suite 2100</p> <p>15 Dallas, Texas 75201</p> <p>16 214-698-3423</p> <p>17 BY: MR. NATHAN R. CURTIS</p> <p>18 ncurtis@gibsondunn.com</p> <p>19</p> <p>20 Videographed By:</p> <p>21 MR. TIM GARRETT</p> <p>22</p> <p>23 Zoom Monitor:</p> <p>24 MR. RICARDO YI - VERITEXT</p> <p>25</p> <p style="text-align: right;">Page 2</p>	<p>1 THE VIDEOGRAPHER: Good morning. 08:27</p> <p>2 We're now on the record. Today's date is March 08:27</p> <p>3 31st, 2021, and the time is 8:29 a.m. 08:27</p> <p>4 This is the unit -- media unit one of 08:27</p> <p>5 the video recorded deposition of Peter Rysavy being 08:27</p> <p>6 taken in the matter of Kaifi LLC versus T-Mobile 08:27</p> <p>7 U.S., Inc. 08:27</p> <p>8 The court reporter is Sara Wilson, who 08:27</p> <p>9 will now swear or affirm the witness. 08:28</p> <p>10 08:28</p> <p>11 PETER RYSAVY, 08:26</p> <p>12 having been first duly sworn to testify the truth, 08:25</p> <p>13 the whole truth, and nothing but the truth, was 08:23</p> <p>14 examined and testified as follows: 08:22</p> <p>15 08:20</p> <p>16 EXAMINATION 08:18</p> <p>17 BY MR. SHEASBY: 08:28</p> <p>18 Q. Good morning, sir. Can you state your 08:28</p> <p>19 name for the record. 08:28</p> <p>20 A. Peter Rysavy. 08:28</p> <p>21 Q. You've been retained as an expert by 08:28</p> <p>22 T-Mobile. Is that correct? 08:28</p> <p>23 A. That's correct. 08:28</p> <p>24 Q. You submitted an expert declaration in 08:28</p> <p>25 this case. Is that correct? 08:28</p> <p style="text-align: right;">Page 4</p>
<p>1 INDEX</p> <p>2</p> <p>3 WITNESS.....PAGE</p> <p>4 PETER RYSAVY</p> <p>5 BY MR. SHEASBY 4</p> <p>6</p> <p>7 EXHIBITS.....PAGE</p> <p>8 Exhibit 1 Exhibit 1 to the Declaration 12</p> <p>9 of Peter Rysavy - 728 Patent</p> <p>10 Exhibit 2 Distributed Router 22</p> <p>11 Architecture for</p> <p>12 Packet-Routed Optical</p> <p>13 Networks</p> <p>14 Exhibit 3 Different Types of Wired 30</p> <p>15 Internet Connections</p> <p>16 Exhibit 5 Router Definition 32</p> <p>17 Exhibit 6 P.R. 4-3(B) Disclosure of 57</p> <p>18 Potential Testimony From</p> <p>19 Thomas L. Blackburn</p> <p>20 Exhibit 8 RFC 2002 46</p> <p>21</p> <p>22 MARKED TEXT.....PAGE/LINE</p> <p>23 None.</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 3</p>	<p>1 A. Yes, I did. 08:28</p> <p>2 Q. Did you write the expert declaration 08:28</p> <p>3 yourself? 08:28</p> <p>4 A. I wrote it in conjunction with the 08:28</p> <p>5 attorney I worked with at Gibson Dunn. 08:28</p> <p>6 Q. You collaborated with the attorney at 08:28</p> <p>7 Gibson Dunn? 08:28</p> <p>8 A. Yes. 08:28</p> <p>9 Q. Did you have an opportunity to read the 08:28</p> <p>10 declaration of Mr. Blackburn? 08:28</p> <p>11 A. Yes, I did read Mr. Blackburn's 08:29</p> <p>12 declaration. 08:29</p> <p>13 Q. Are you prepared to talk about it and 08:29</p> <p>14 discuss with what you agree and disagree with in 08:29</p> <p>15 Mr. Blackburn's declaration today? 08:29</p> <p>16 A. I can comment on some items with respect 08:29</p> <p>17 to his declaration. 08:29</p> <p>18 Q. Okay. 08:29</p> <p>19 Do you know what a femtocell and a 08:29</p> <p>20 nanocell are? 08:29</p> <p>21 A. I have heard the terms before, but it 08:29</p> <p>22 depends on the context. 08:29</p> <p>23 Q. In the context of cellular networks, have 08:29</p> <p>24 you heard of femtocells? 08:29</p> <p>25 A. In the context of cellular networks, I 08:29</p> <p style="text-align: right;">Page 5</p>

<p>1 network to be connected to the internet. 08:43</p> <p>2 Q. 802.11 networks are connected to the 08:43</p> <p>3 internet. Correct? 08:43</p> <p>4 A. No. That is just one implementation of an 08:43</p> <p>5 802.11 network. An 802.11 network can be connected 08:43</p> <p>6 to the internet, but an 802.11 network can also 08:43</p> <p>7 operate in isolation. 08:43</p> <p>8 Q. When a cellular network is in operation, 08:43</p> <p>9 there are going to be instances in which individual 08:44</p> <p>10 packets are dropped. Correct? 08:44</p> <p>11 A. When -- okay, let me understand the 08:44</p> <p>12 question. 08:44</p> <p>13 You said that when a cellular network is 08:44</p> <p>14 connected to the internet that packets can be 08:44</p> <p>15 dropped? 08:44</p> <p>16 Q. Yes. 08:44</p> <p>17 A. There's nothing inherent about connecting 08:44</p> <p>18 to the internet that results in packets being 08:44</p> <p>19 dropped. Packets being dropped is just a by-product 08:44</p> <p>20 of any communication system that occasionally, 08:44</p> <p>21 depending on the technology and the environment, can 08:44</p> <p>22 have errors that can ultimately result in packets 08:44</p> <p>23 being dropped. 08:45</p> <p>24 Q. Let me ask it this way: When packets are 08:45</p> <p>25 dropped, the user will always perceive an 08:45</p> <p style="text-align: right;">Page 14</p>	<p>1 A. I would need to know what you mean by 08:47</p> <p>2 "distributed." 08:47</p> <p>3 Q. A routing function for a network can be 08:47</p> <p>4 distributed across multiple physical devices? 08:47</p> <p>5 A. I haven't seen that type of implementation 08:47</p> <p>6 of a router. 08:47</p> <p>7 Q. Did you investigate in preparation for 08:47</p> <p>8 your expert declaration whether routers can be 08:47</p> <p>9 implemented across multiple physical devices? 08:47</p> <p>10 A. As part of my preparation for this 08:47</p> <p>11 deposition, I did not investigate whether routers 08:47</p> <p>12 can be distributed. 08:48</p> <p>13 Q. Can routing functions be performed by a 08:48</p> <p>14 general purpose computer? 08:48</p> <p>15 A. It would depend on whether the -- what 08:48</p> <p>16 exact routing functions you're implementing and the 08:48</p> <p>17 capabilities of that general purpose computer as 08:48</p> <p>18 well as its physical connections to different types 08:48</p> <p>19 of networks. 08:48</p> <p>20 Q. Sir, a general purpose computer cannot 08:48</p> <p>21 perform a routing function. Correct? 08:49</p> <p>22 A. Whether a computer can perform routing 08:49</p> <p>23 functions depends on the capabilities of that 08:49</p> <p>24 specific computer. 08:49</p> <p>25 Q. Sir, a general purpose computer can't 08:49</p> <p style="text-align: right;">Page 16</p>
<p>1 interruption in the communication whether it's data 08:45</p> <p>2 or voice. Correct? 08:45</p> <p>3 A. I disagree. 08:45</p> <p>4 Q. Sir, in order to have seamless and 08:45</p> <p>5 without-interruption communication, you must ensure 08:45</p> <p>6 that all packets are delivered. No packets can be 08:45</p> <p>7 dropped. Correct? 08:45</p> <p>8 A. That's not really the case because 08:45</p> <p>9 communication systems have various forms of error 08:45</p> <p>10 control and redundancy built into them, as well as 08:45</p> <p>11 techniques such as buffering. So if packets had 08:46</p> <p>12 dropped, that can result in some kind of 08:46</p> <p>13 interruption, but not necessarily. 08:46</p> <p>14 Q. Sir, it's the case that if packets are 08:46</p> <p>15 dropped, you're not communicating seamlessly and 08:46</p> <p>16 without interruption. Correct? 08:46</p> <p>17 A. Again, that's not necessarily the case. 08:46</p> <p>18 Q. Let me ask you the next question, which is 08:46</p> <p>19 routers can exist on specialized pieces of 08:46</p> <p>20 equipment. Correct? 08:46</p> <p>21 A. I'm not sure what you mean by "specialized 08:46</p> <p>22 pieces of equipment," but routers can be implemented 08:46</p> <p>23 in different physical configurations. 08:46</p> <p>24 Q. Routers can be implemented and distributed 08:46</p> <p>25 in physical configurations. Correct? 08:46</p> <p style="text-align: right;">Page 15</p>	<p>1 perform routing functions. Correct? 08:49</p> <p>2 A. As I said, whether a route -- sorry. Let 08:49</p> <p>3 me repeat -- or start again. 08:49</p> <p>4 Whether a general purpose computer can 08:49</p> <p>5 perform routing functions depends on the 08:49</p> <p>6 capabilities of that computer. 08:49</p> <p>7 Q. Sir, if it's a general purpose computer, 08:49</p> <p>8 that means it can't perform routing functions? 08:49</p> <p>9 A. As I said, whether or not a general 08:49</p> <p>10 purpose computer can perform routing functions 08:49</p> <p>11 depends on the capabilities of that computer. 08:49</p> <p>12 Q. Let's go to Exhibit 1 again, which is the 08:50</p> <p>13 patent. Tell me when you're there. 08:50</p> <p>14 A. Yes. 08:50</p> <p>15 Q. The last element says (reading): A 08:50</p> <p>16 router that determines a location, data 08:50</p> <p>17 communication terminal. 08:50</p> <p>18 Do you see that, sir? 08:50</p> <p>19 A. I do. 08:50</p> <p>20 Q. That excludes the use of a general purpose 08:50</p> <p>21 computer for a router. Correct? 08:50</p> <p>22 A. As I said, whether or not a general 08:50</p> <p>23 purpose computer can be a router depends on the 08:51</p> <p>24 capabilities of that computer. 08:51</p> <p>25 Q. Are there instances in which a general 08:51</p> <p style="text-align: right;">Page 17</p>

1 Q. What is location information? 09:06	1 A. In the scenario I described, that cell 09:11
2 A. Well, location information is an 09:06	2 tower could have a fiber-optic connection to the 09:11
3 agreed-upon construction. And referring to, if I 09:07	3 internet server -- service provider's core network, 09:11
4 may, the Joint Claim Construction and Pre-Hearing 09:07	4 which would then have a connection to the internet. 09:11
5 Statement, it's information on a locational area, or 09:07	5 BY MR. SHEASBY: 09:11
6 indoor system ID information, or both. 09:07	6 Q. Are you aware of any service provider 09:11
7 Q. In the patent, the location register would 09:07	7 network that doesn't ultimately have a physical 09:11
8 only store indoor location information or outdoor 09:07	8 wired connection to the internet? 09:11
9 location information. It won't store both at the 09:07	9 A. It depends exactly what you mean by 09:11
10 same time. Correct? 09:08	10 "wire." If you mean it to include -- and I think 09:11
11 A. I don't believe the patent states that. 09:08	11 meant -- previously you mentioned fiber-optic 09:11
12 It doesn't -- the patent does not preclude storing 09:08	12 cables -- then, yes, there will be some physical 09:11
13 both. 09:08	13 connection at some point to a network that can be 09:11
14 Q. Okay. 09:08	14 considered the internet. 09:12
15 Let me ask you the next question, which is 09:08	15 Q. Okay. 09:12
16 that when the -- when the indoor gateway -- let me 09:08	16 Let me ask you this question, which is 09:12
17 ask it this way. 09:08	17 that is a common understanding of the word "wire" at 09:12
18 For 802.11 networks that are connected to 09:08	18 the time of the patent -- would it include coaxial 09:12
19 the internet, that connection is going to be 09:08	19 cable? Fiber-optic? 09:12
20 through -- that gateway is going to be connected to 09:08	20 MR. CURTIS: Objection. Form. 09:12
21 the internet through a wire, correct, at some point? 09:09	21 Outside the scope. 09:12
22 MR. CURTIS: Objection, form. 09:09	22 A. At the time of the patent? A person of 09:12
23 A. An 802.11 network or Wi-Fi network can be 09:09	23 ordinary skill in the art wouldn't just use the word 09:12
24 connected to the internet, and there could be a wire 09:09	24 "wire." They would refer to the specific type of 09:12
25 such as a cable -- coax cable, for example, yeah. 09:09	25 connection, whether it's coax or fiber-optic 09:12
Page 26	Page 28
1 BY MR. SHEASBY: 09:09	1 connection. And most -- I would say that a person 09:12
2 Q. Yeah. I guess I'm asking a slightly 09:09	2 of ordinary skill in the art would find the term 09:12
3 different question. In the situation when the 09:09	3 "wire" to be vague. 09:12
4 802.11, the Wi-Fi gateway, is connected -- is 09:09	4 BY MR. SHEASBY: 09:12
5 connected to the internet, is there any instances in 09:09	5 Q. The term "wire" is generic. Is that 09:12
6 which there is not going to be a wire ultimately 09:09	6 correct? 09:12
7 connecting it? 09:09	7 A. The term "wire" is both vague and generic. 09:12
8 MR. CURTIS: Objection, form. Outside 09:09	8 Q. Copper -- copper cable as an example of a 09:13
9 the scope. 09:09	9 wire. Correct? 09:13
10 A. It's not anything I cover in my 09:09	10 A. A wire connection can use copper. 09:13
11 declaration but that Wi-Fi network can be connected 09:10	11 Q. Wire connection can also use coaxial 09:13
12 via a wire, but a wire is not necessary nowadays. 09:10	12 cable. Correct? 09:13
13 Increasingly, that connection to the internet is 09:10	13 A. A coaxial cable could be considered to be 09:13
14 done over a wireless connection. 09:10	14 a wired connection. 09:13
15 BY MR. SHEASBY: 09:10	15 Q. And a fiber-optic or optical cable could 09:13
16 Q. A wireless connection to what? 09:10	16 also be considered a wired connection. Correct? 09:13
17 A. It could be a wireless connection from a 09:10	17 A. In a more loose interpretation of the word 09:13
18 home to a cell tower, for example, or to some other 09:10	18 "wired connection," a fiber-optic cable could be 09:13
19 radio connection provided by an internet service 09:10	19 considered a wired connection, but I think some 09:13
20 provider. 09:10	20 people would object to that interpretation. 09:13
21 Q. But at some level, even if you went 09:10	21 Q. A person of ordinary skill in the art -- 09:13
22 through that cell tower, at some point there's a 09:11	22 well -- 09:14
23 physical wire in that system connecting to the 09:11	23 (Pause.) 09:15
24 internet. Correct? 09:11	24 You read Claim 12 of the patent. Correct? 09:15
25 MR. CURTIS: Same objections. 09:11	25 A. Yes, I did. 09:16
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<p>1 Q. You were not able to understand Claim 12. 09:16</p> <p>2 Correct? 09:16</p> <p>3 A. I never said that I didn't understand 09:16</p> <p>4 Claim 12. 09:16</p> <p>5 Q. Sir, as a factual matter, as a person of 09:16</p> <p>6 ordinary skill in the art, you're not able to 09:16</p> <p>7 understand what Claim 12 is claiming. Correct? 09:16</p> <p>8 A. I don't believe that is a correct 09:16</p> <p>9 statement. 09:16</p> <p>10 (Deposition Exhibit Number 3 09:15</p> <p>11 marked for identification.) 09:13</p> <p>12 BY MR. SHEASBY: 09:17</p> <p>13 Q. Why don't you go ahead and look at Exhibit 09:17</p> <p>14 3. 09:17</p> <p>15 A. Did you want me to read the article? 09:17</p> <p>16 Q. Yes. 09:18</p> <p>17 (Pause.) 09:18</p> <p>18 Just to give you a heads up, the question 09:18</p> <p>19 I'm asking is that after reviewing the article, it's 09:18</p> <p>20 fair to say that folks consider coaxial cable, 09:18</p> <p>21 fiber-optic cable, and traditional copper wire as 09:18</p> <p>22 all options for wired connections to the internet? 09:18</p> <p>23 A. Well, according to this off -- author of 09:19</p> <p>24 the article, he lists dial-up, cable internet, DSL, 09:19</p> <p>25 and fiber-optic as different forms of wired internet 09:19</p> <p style="text-align: right;">Page 30</p>	<p>1 Q. If I said to you you can use any type of 09:20</p> <p>2 wire connection you want, what would you understand 09:21</p> <p>3 that to mean? 09:21</p> <p>4 A. The term that I've used in my writing is 09:21</p> <p>5 "wire line" versus "wireless," so when I use the 09:21</p> <p>6 term "wire line," I do use that to refer to any 09:21</p> <p>7 connection that is not wireless. So that would 09:21</p> <p>8 include copper, for instance, or a fiber-optic 09:21</p> <p>9 connection. 09:21</p> <p>10 Q. Okay. 09:21</p> <p>11 Let me ask you the next question, which 09:21</p> <p>12 is, is it possible to implement a server using 09:21</p> <p>13 software alone on a general purpose computer? 09:21</p> <p>14 A. Can you repeat the question, please? 09:21</p> <p>15 Q. Sure. One second. 09:21</p> <p>16 (Pause.) 09:22</p> <p>17 I'm marking a new exhibit. I'll tell you 09:22</p> <p>18 -- let me know when you get it. Okay? It should be 09:24</p> <p>19 there for you. 09:24</p> <p>20 A. The folder shows five exhibits. 09:24</p> <p>21 (Deposition Exhibit Number 5 09:23</p> <p>22 marked for identification.) 09:21</p> <p>23 BY MR. SHEASBY: 09:24</p> <p>24 Q. Yeah. So it's Exhibit Number 5. You 09:24</p> <p>25 probably want to download it because it's -- let me 09:24</p> <p style="text-align: right;">Page 32</p>
<p>1 connections. 09:19</p> <p>2 Q. So it would be fair to say that there are 09:19</p> <p>3 folks in this industry who treat fiber-optic, 09:19</p> <p>4 copper, and coaxial cable all as wired internet 09:19</p> <p>5 connections? 09:19</p> <p>6 MR. CURTIS: Objection, form. 09:19</p> <p>7 A. This particular author has fiber-optic 09:19</p> <p>8 connections in an article that discusses or is 09:19</p> <p>9 titled Different Types of Wired Internet 09:19</p> <p>10 Connections. 09:19</p> <p>11 BY MR. SHEASBY: 09:20</p> <p>12 Q. Do you have any factual basis to disagree 09:20</p> <p>13 that persons in this industry consider coaxial, 09:20</p> <p>14 copper, and fiber-optic as all examples of wired 09:20</p> <p>15 connections? 09:20</p> <p>16 A. I do note that he has a sentence saying 09:20</p> <p>17 (reading): As we all know, light travels 09:20</p> <p>18 much faster as compared to electrical 09:20</p> <p>19 signals flowing across a wire. 09:20</p> <p>20 So that suggests that he draws some 09:20</p> <p>21 distinction between fiber and wire. Again, I would 09:20</p> <p>22 repeat that "wire" is a vague term, and in 09:20</p> <p>23 discussing an actual network, an engineer would 09:20</p> <p>24 specify the type of connection and refer to that 09:20</p> <p>25 kind of connection. 09:20</p> <p style="text-align: right;">Page 31</p>	<p>1 know when you have it. 09:25</p> <p>2 A. I have it. 09:25</p> <p>3 Q. If you scroll down, it talks about using 09:25</p> <p>4 Windows PC as a router? 09:26</p> <p>5 A. Okay. I see that. 09:26</p> <p>6 Q. Do you disagree that a general purpose 09:26</p> <p>7 computer can be used as a router when provisioned 09:26</p> <p>8 with appropriate software. Correct? 09:26</p> <p>9 A. What I said was that a general purpose 09:26</p> <p>10 computer can be a router depending on the 09:26</p> <p>11 capabilities it has. 09:26</p> <p>12 Q. Sir, if you go to the patent, you will see 09:26</p> <p>13 it says a location register -- this is Claim 1 -- 09:27</p> <p>14 that stores information on the data communication 09:27</p> <p>15 terminal received through the indoor network or 09:27</p> <p>16 outdoor wireless network. 09:27</p> <p>17 Do you see that, sir? 09:27</p> <p>18 A. I do. 09:27</p> <p>19 Q. The location register must be part of the 09:27</p> <p>20 router. Correct? 09:27</p> <p>21 A. The figures show the location register 09:27</p> <p>22 separate from routers. For example, in Figure 1B, 09:27</p> <p>23 the location register is item 80 and the router is 09:27</p> <p>24 item 47. 09:27</p> <p>25 Q. Sir, the location register must be part of 09:28</p> <p style="text-align: right;">Page 33</p>

1 the router. Correct? 09:28	1 that function needs to be known at a -- or that 09:32
2 A. As I said, the patent in these figures 09:28	2 function needs to be in a known networking location 09:32
3 shows them as separate, and I would need to reread 09:28	3 so that queries can be made to it. 09:32
4 the patent to see all the specific functions that 09:28	4 Q. So there must be a function that's called 09:32
5 the patent recites for the router. 09:28	5 a location register. Correct? 09:32
6 Q. Sitting here today, do you have -- are you 09:28	6 A. Well, the location register performs 09:32
7 taking the position that the location register must 09:28	7 specific functions. 09:32
8 be separate from the router? 09:28	8 Q. And you believe that physical 1A -- Figure 09:32
9 A. I would need to reread the patent to 09:28	9 1A is describing discrete physical objects, not 09:32
10 answer that question properly. 09:29	10 functions. Correct? 09:33
11 Q. Okay. 09:29	11 A. I think you'd have to look at the specific 09:33
12 Well, I'm entitled to your best answer. 09:29	12 items in the figure and refer to the specification 09:33
13 Is that an opinion you believe you're giving in this 09:29	13 to determine what combination of function and 09:33
14 case, that the location register must be separate 09:29	14 physical item those represent. 09:33
15 from the router? 09:29	15 Q. So in Figure A [sic], which one of these 09:33
16 MR. CURTIS: Objection, form. Outside 09:29	16 boxes are depicting functions and which of them are 09:33
17 the scope. 09:29	17 depicting single, unique physical objects? 09:33
18 A. I'm not offering an opinion on that 09:29	18 A. Again, that would require an analysis and 09:33
19 question, which I also find a little vague because 09:29	19 careful review of the specification. 09:34
20 it depends on what you mean "outside." 09:29	20 Q. That's why -- have you rendered an opinion 09:34
21 BY MR. SHEASBY: 09:29	21 as to what in Figure 1A has to be a function versus 09:34
22 Q. Sure. 09:29	22 what in Figure 1A has to be a single, unique 09:34
23 Was the location -- are you offering an 09:29	23 physical thing? 09:34
24 opinion that the location register either must be or 09:29	24 A. The opinion I provided in my declaration 09:34
25 cannot be in the same physical box as the router? 09:29	25 was with respect to the location register. 09:34
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1 A. As I said, I'm -- without reading the 09:29	1 Q. I understand that, sir. I'm just asking 09:34
2 patent specifically with that question in mind, I 09:29	2 you a question. 09:34
3 can't offer an opinion on that question. 09:30	3 What in Figure 1A has to be -- is a 09:34
4 Q. But are you offering that opinion? 09:30	4 function versus what in 1A is a unique physical 09:34
5 A. I'm not offering any opinion as to the 09:30	5 thing? 09:34
6 implementation of the location register and router 09:30	6 A. Without studying the patent as a whole, 09:34
7 functions. 09:30	7 considering that question, I don't have an answer 09:35
8 Q. The location register must be a single 09:30	8 beyond what I've stated in my declaration in regard 09:35
9 physical location. Correct? 09:30	9 to the location register. 09:35
10 A. I provided opinions on that in my 09:30	10 Q. Okay. 09:35
11 declaration, and I can refer to those if you wish. 09:30	11 Well, let's just go through the thing. 09:35
12 Q. I just -- you can refer to whatever you 09:30	12 Does the patent limit its system to only three 09:35
13 want, but I'm just asking you a more basic question. 09:30	13 routers, 41, 42, and 43? What happens if you have 09:35
14 Must the location register be a single physical 09:30	14 four routers? Is that still covered by the patent? 09:35
15 location -- single physical location, or single 09:30	15 MR. CURTIS: Objection, form. 09:35
16 physical box? 09:31	16 A. It depends on what you mean by "covered by 09:35
17 A. Well, as I said in my declaration, the 09:31	17 the patent." 09:35
18 location register is implemented within a discrete 09:31	18 BY MR. SHEASBY: 09:35
19 node as shown in the figures of the patent. 09:31	19 Q. The claims. Are the claims limited to 09:35
20 Q. Is there anything in the patent that 09:31	20 only three routers? 09:35
21 expressly and unambiguously states that the location 09:31	21 A. I don't recall the claims mentioning a 09:35
22 register must be in a single physical location? 09:31	22 specific number of routers. 09:35
23 A. The patent read as a whole describes the 09:31	23 Q. They reference a router. Correct? 09:35
24 location register as being a node that performs a 09:31	24 A. Claim 1 references a router, and I would 09:36
25 specific function. And as I said in my declaration, 09:32	25 need to reread the claims to see if routers are 09:36
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1 Q. So let's go to the patent. 09:42	1 (Pause.) 09:45
2 A. So just to clarify my last answer. Even 09:43	2 And, actually, column eight. It says -- 09:47
3 though I said I don't have an opinion on the number 09:43	3 column eight, lines three through six, it says 09:47
4 of location registers, I did say that the location 09:43	4 (reading): The location register may be a 09:47
5 register does need to be in a known networking 09:43	5 home agent or a foreign agent, and uses a 09:47
6 location and implemented as a discrete node. 09:43	6 mobile IPv4 or IPv6 address system in order 09:47
7 Q. Yeah. I mean, what's the answer? Do you 09:43	7 to store the location into this location 09:47
8 have an opinion or do you not have an opinion? Does 09:43	8 register. 09:47
9 it have to be one physical location? Yes or no? 09:43	9 Do you see that, sir? 09:47
10 A. The simplest implementation would be one 09:43	10 A. I do see that. 09:47
11 physical location, but, you know, it depends on -- 09:44	11 Q. That language means that the patent is 09:47
12 it depends on the network. 09:44	12 limited to the use of a home agent or foreign agent. 09:47
13 If an operator had a network in one 09:44	13 Correct? 09:47
14 country and another network in another country, they 09:44	14 A. The patent says that the location register 09:47
15 might want to have a separate location register in 09:44	15 may be a home agent or foreign agent, and I read 09:47
16 each country. But that is, you know, outside the 09:44	16 that as home agent or foreign agent being an 09:48
17 scope of my opinions as stated in my declaration. 09:44	17 optional implementation. 09:48
18 Q. In other words, you can know and be able 09:44	18 THE WITNESS: I think we lost . . . 09:48
19 to access the location register without it being in 09:44	19 MR. CURTIS: Okay. Let's just sit 09:48
20 one physical location. Correct? The network can do 09:44	20 here with the record on and let the clock run. 09:48
21 that? 09:44	21 THE WITNESS: Okay. 09:48
22 A. I don't believe that's what I said. 09:44	22 (Pause.) 09:50
23 Q. I'm actually asking you a question. Does 09:44	23 MR. CURTIS: He's saying he lost 09:51
24 it -- it needs to be in one physical location for a 09:44	24 internet. I'm sorry. Let's take a break. I'm good 09:51
25 location register to be accessed across a network. 09:44	25 with that. We're comfortable. Let's take a break, 09:51
Page 42	Page 44
1 Fair? 09:44	1 Peter, Videographer, Court Reporter. 09:51
2 A. What I said was that it needs to be in a 09:44	2 THE VIDEOGRAPHER: We are off the 09:51
3 known networking location so that a query made to 09:44	3 record at 9:52. 09:51
4 that networking location can obtain the information 09:45	4 (Recess: 9:52 to 10:35 a.m.) 09:51
5 that it needs for the patent to function. 09:45	5 THE VIDEOGRAPHER: We are on the 10:34
6 Q. And a known -- to be a known networking 09:45	6 record at 10:35. 10:34
7 location, it must be a single physical location. 09:45	7 BY MR. SHEASBY: 10:34
8 Correct? 09:45	8 Q. Sir, did you have any conversations with 10:34
9 A. It would depend on what you mean by 09:45	9 your counsel at the break? 10:34
10 "physical location." 09:45	10 A. I did not. 10:34
11 Q. I mean a single physical box. 09:45	11 Q. I want to look at -- you referenced RC 202 10:34
12 A. A single physical box would be the 09:45	12 [sic] in your declaration. Correct? RFC 2002? 10:34
13 simplest implementation. 09:45	13 A. RFC 2002. 10:34
14 Q. It's the only allowed implementation. 09:45	14 Q. Yes. 10:34
15 Correct? 09:45	15 Did you read that document in preparation 10:34
16 A. I'm not sure what you mean by "allowed." 09:45	16 for your expert opinion? 10:34
17 Q. By the claims. 09:46	17 A. I did read that document. 10:35
18 A. I don't have an opinion on whether the 09:46	18 Q. I'm marking as an exhibit RFC 2 -- I'm 10:35
19 claims -- how the claims allow the physical 09:46	19 introducing this as an exhibit. Let me know when 10:35
20 implementation. 09:46	20 you get it. 10:35
21 Q. Okay. 09:46	21 (Pause.) 10:35
22 Let me ask you the next question, which is 09:46	22 A. Is that Exhibit 6? 10:35
23 -- let's go to the discussion of foreign agent in 09:46	23 Q. Yes. 10:35
24 the patent. And I believe it starts at column 09:46	24 A. Okay. I have it. 10:36
25 seven. 09:46	25 (Deposition Exhibit Number 8 10:34
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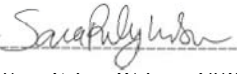
1 marked for identification.) 10:33	1 protocols would communicate to a fixed node to 10:43
2 BY MR. SHEASBY: 10:36	2 update and register locations. 10:43
3 Q. Is there anything in RFC 2002 that 10:36	3 Q. Yeah. And I'm asking you where in the RFC 10:43
4 indicates that either the foreign agent or the home 10:36	4 2002 -- strike that. Where in the RFC 2002 does it 10:43
5 agent must exist in a single physical device or 10:36	5 state that the home agent and foreign agent 10:43
6 single physical location? 10:36	6 functions must be on a single physical location? 10:43
7 A. I'm a little confused. The Exhibit 6 I 10:36	7 A. I would need to reread the specification 10:43
8 downloaded was testimony from Thomas Blackburn. 10:36	8 to see what it says about physical locations. 10:43
9 Q. Why don't we refresh and look for Exhibit 10:37	9 Q. Go ahead. 10:43
10 7. No. All right. Let me try it again. Give me 10:37	10 MR. SHEASBY: And go on the record. 10:44
11 one second. 10:37	11 I'm just going to pop off to get a cup of coffee. 10:44
12 (Pause.) 10:38	12 I'll be right back. 10:44
13 Okay, now try it. It's Exhibit 8. Let me 10:38	13 A. Okay. This is a 158-page document, so I'm 10:44
14 know when you get it. 10:38	14 beginning to read now. 10:44
15 A. I have it. 10:38	15 (Pause.) 10:44
16 Q. Is there anything in RFC 2002 that 10:39	16 BY MR. SHEASBY: 10:46
17 requires the home agent or foreign agent to run on a 10:39	17 Q. Sir, just let me know when you're ready to 10:46
18 single physical location? 10:39	18 answer the question. 10:46
19 A. I would need to read the entire 10:39	19 A. Okay. I'm still reading. 10:47
20 specification, but consistent with my declaration, 10:39	20 Q. Sure. 10:47
21 the home agent/foreign agent need to be at known 10:39	21 (Pause.) 10:50
22 networking locations so that messages such as 10:39	22 A. In scanning through the specification, I 10:51
23 registration messages can reach them. 10:39	23 didn't see a discussion of physical implementation 10:51
24 Q. So I understand that it's your position 10:40	24 of the functions. 10:51
25 that no network located -- it's your position that a 10:40	25 Q. So having scanned through the 10:51
Page 46	Page 48
1 location register must be at a known network 10:40	1 specification, do you find any limitation placed on 10:51
2 location. Correct? 10:40	2 the physical implementation of the home agent and 10:51
3 A. My declaration states that the location 10:40	3 foreign agent? 10:51
4 register needs to be at a known networking location. 10:40	4 A. In my scan of the document I didn't see 10:51
5 Q. And a known networking location requires a 10:40	5 any discussion of the physical implementation of the 10:51
6 single physical discrete location. Correct? 10:40	6 home agent and foreign agent, although I did see on 10:51
7 A. I don't agree with that statement. 10:40	7 page 15, consistent with my declaration, that there 10:51
8 Q. Okay. 10:41	8 is a registration process. 10:51
9 Let me ask you this question: Is the 10:41	9 For example, the specification states when 10:51
10 location of a mobile terminal on a network known in 10:41	10 the mobile node is away from home it registers its 10:51
11 the normal operation? 10:41	11 care of address with its home agent, which, 10:52
12 MR. CURTIS: Objection, form. 10:41	12 consistent with my declaration, means that messages 10:52
13 A. In some circumstances a network will know 10:41	13 from the mobile node need to be able to reach the 10:52
14 the location of a terminal. 10:41	14 home agent, and thus, the home agent needs to be at 10:52
15 BY MR. SHEASBY: 10:41	15 a known networking location. 10:52
16 Q. Are you rendering the opinion that RFC 10:41	16 Q. Is there anything in the RFC 2002 10:52
17 2002 prevents the operations of the -- forbids the 10:41	17 specification that precludes the implementation of 10:52
18 operations of either home agent or the foreign agent 10:42	18 the home agent function and the foreign agent 10:52
19 to be distributed across multiple locations? 10:42	19 function in a distributed manner? 10:52
20 A. As I said in my declaration, a home 10:42	20 A. In my relatively quick scan of the 10:52
21 agent/foreign agent -- sorry. Let me restart. 10:42	21 158-page document, I didn't see a discussion of 10:52
22 I'm just rereading my declaration with 10:42	22 physical implementation of the home agent and 10:52
23 respect to mobile IP. 10:42	23 foreign agent functions. 10:52
24 (Pause.) 10:43	24 Q. Sir, this is the document you reviewed in 10:52
25 What I stated was that the mobile IP 10:43	25 preparing your opinions in this case. Correct? 10:52
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1 location? 11:00	1 location stored in the location register 11:05
2 Q. Is it possible to have a distributed 11:00	2 includes the indoor system ID. 11:05
3 system in which the distributed foreign agent or 11:00	3 Q. The patent teaches that the indoor lit 11:05
4 home agent in which each location that it's 11:00	4 [sic] location information is limited to the indoor 11:05
5 distributed across is known? 11:00	5 system ID. Correct? 11:05
6 A. That's a complex question, and I would 11:00	6 A. The agreed-upon construction is that the 11:05
7 have to study it in detail to be able to offer an 11:00	7 indoor system ID information is the information 11:05
8 opinion. 11:00	8 uniquely identified in the indoor network. Is that 11:05
9 Q. In terms of your best opinion for the 11:00	9 what you're referring to? 11:05
10 Court today, is it possible to have a distributed 11:01	10 Q. No. I'm just saying this passage is 11:05
11 system in which the location registers are at known 11:01	11 teaching that the only indoor location that can 11:06
12 locations even though they are distributed in 11:01	12 exist is the indoor system ID. Correct? 11:06
13 different physical components? 11:01	13 A. The patent uses the indoor system ID as 11:06
14 A. That's a very complicated question, and 11:01	14 the location information associated with the indoor 11:06
15 there are a lot of different variables to consider, 11:01	15 location. 11:06
16 so at this time I don't have an opinion on that. 11:01	16 Q. In this passage is it teaching that the 11:06
17 Q. Does the 728 patent exclude the location 11:01	17 only indoor location information that can be stored 11:06
18 of distributed location registers? 11:01	18 is the indoor system ID? Or can there be also other 11:06
19 A. I don't recall the 728 patent discussing 11:01	19 indoor location information stored? 11:06
20 distributed implementations of the location 11:01	20 A. Lines 23 and 24 refers just to the indoor 11:06
21 register. 11:02	21 system ID. 11:06
22 MR. SHEASBY: Yeah. Move to strike as 11:02	22 Q. It says (reading): Indoor location 11:06
23 not responsive. 11:02	23 stored in the location register includes 11:06
24 BY MR. SHEASBY: 11:02	24 the indoor system ID. 11:07
25 Q. Did you identify any portions of the 728 11:02	25 Do you see that? 11:07
Page 54	Page 56
1 patent that clearly and unambiguously exclude the 11:02	1 A. Right. 11:07
2 use of distributed location registers? 11:02	2 Q. Does that mean that indoor location is 11:07
3 A. The patent repeatedly discusses "a 11:02	3 equivalent to the indoor system ID? Or does the 11:07
4 location register" and other instances it says "the 11:02	4 word "includes" means that there could be additional 11:07
5 location register." 11:03	5 information beyond the indoor system ID? 11:07
6 Q. And you believe that limits it to one 11:03	6 A. I'd need to look at other places in the 11:07
7 single physical location register? 11:03	7 patent, but those lines in isolation don't make that 11:07
8 A. I don't believe the patent discusses the 11:03	8 question clear. 11:07
9 exact implementation of the location register. 11:03	9 Q. Okay. Let's go to Claim 1. Actually, 11:07
10 Q. Okay. 11:03	10 let's go to the Blackburn declaration. I changed my 11:08
11 And by "implementation" you mean physical 11:03	11 mind. 11:08
12 implementation? 11:03	12 It's Exhibit 6. Let me know when you get 11:08
13 A. Correct. 11:03	13 there. 11:08
14 Q. How long have you been in the network 11:03	14 A. Okay. 11:08
15 communications industry? 11:03	15 (Deposition Exhibit Number 6 11:06
16 A. I've been actively involved in networking 11:03	16 marked for identification.) 11:05
17 communications since about 1980. 11:04	17 BY MR. SHEASBY: 11:09
18 Q. Let's go back to the 728 patent. 11:04	18 Q. Let's go to paragraph 53. 11:09
19 A. Okay. 11:04	19 A. Okay. 11:09
20 Q. Let's go to column four, lines 23 and 24. 11:04	20 Q. Do you have any factual disagreement with 11:09
21 A. Column four, lines 23 to 24? 11:04	21 what Mr. Blackburn says in paragraph 53? 11:09
22 Q. Yes, sir. 11:04	22 A. I haven't studied the particular article 11:09
23 A. Okay. 11:05	23 that he refers to so I don't have an opinion as to 11:10
24 Q. Go ahead and read those into the record. 11:05	24 his description of the contents. 11:10
25 A. (Reading): Preferably, the indoor 11:05	25 Q. What about the first sentence of paragraph 11:10
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1 use of the home agents or foreign agent location 12:12	1 mobile node is home, and in the second case, it's at 12:16
2 register embodiment? 12:12	2 a foreign location. 12:16
3 A. My opinions in my declaration did not 12:13	3 Q. In column nine, lines 12 through 15, the 12:16
4 specify whether a home agent/foreign agent was 12:13	4 home agent and the foreign agents are both location 12:16
5 implemented. 12:13	5 registers. Correct? 12:16
6 Q. Right. That's why I'm asking you the 12:13	6 A. It says the location register is the home 12:16
7 question. 12:13	7 agent or the foreign agent, in accordance with the 12:16
8 Are you rendering the opinion that the 12:13	8 mobile IP protocol. 12:17
9 patent claims are limited to the embodiment that 12:13	9 Q. I understand that. 12:17
10 uses a home agent or foreign agent? 12:13	10 In that statement, the foreign agent and 12:17
11 A. I'm not offering an opinion on that 12:13	11 the home agent are both location registers. 12:17
12 question. 12:13	12 Correct? 12:17
13 Q. Okay. 12:13	13 A. No. I disagree. 12:17
14 Now, when the location register 80 is the 12:13	14 Q. Okay. 12:17
15 home agent or the foreign agent, those are two 12:13	15 So you believe that the home agent and 12:17
16 separate physical locations, correct, the home agent 12:13	16 foreign agents are not both location registers? 12:17
17 and foreign agent? 12:13	17 A. Well, what it says is that the location 12:17
18 A. I would need to review the mobile IP 12:14	18 register is the home agent or the foreign agent. 12:17
19 specification, but I do know that in some situations 12:14	19 Q. Yeah, I understand what is written there. 12:17
20 the home agent and foreign agent are at different 12:14	20 And what does that mean to you as a person of skill 12:17
21 locations. 12:14	21 in the art? 12:17
22 Q. Okay. 12:14	22 A. Well, what it means to me is that in the 12:17
23 A. But I can only envision the scenario where 12:14	23 mobile IP situation that the location register is 12:18
24 they are at the same location. 12:14	24 performing home agent or foreign agent functions. 12:18
25 Q. So you can imagine -- for the RFC 2002 12:14	25 Q. So is a location that performs a home 12:18
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1 specification, you can imagine scenarios in which 12:14	1 agent function a location register? 12:18
2 the home agent and foreign agent are at separate 12:14	2 A. That's -- I have to think about that 12:18
3 locations or at the same location physically. Fair? 12:14	3 question. Are you asking whether in general a home 12:18
4 A. I'd need to review the specification, but 12:14	4 agent or a foreign agent would be a location 12:19
5 my recollection of the specification is that a 12:14	5 register? Or are you asking in the context of this 12:19
6 router could implement both functions. So if a 12:14	6 patent? 12:19
7 device was on its home network, not at a foreign 12:14	7 Q. Well, let's start here. In your 12:19
8 location, that the home agent and foreign agent 12:15	8 understanding of RFC 2002, home agent and foreign 12:19
9 would, in that specific situation, be at the same 12:15	9 agent are both examples of location registers? 12:19
10 location. 12:15	10 A. I don't think that's what it's saying. 12:19
11 Q. And what happens when a device was at -- 12:15	11 Q. That's not what I asked you. Move to 12:19
12 not at its home network? 12:15	12 strike. 12:19
13 A. In that case, the mobile device would 12:15	13 In your understanding of RFC 2002, is the 12:19
14 detect the foreign agent and send the registration 12:15	14 home agent and foreign agent both examples of 12:19
15 message to a home agent, assuming it was following 12:15	15 location registers? 12:19
16 all the mobile IP protocols, to register its 12:15	16 A. What this part of the patent says to me is 12:19
17 location, and subsequently data would be sent to it 12:15	17 that the -- in the case of a mobile IP 12:19
18 from the home agent to the foreign agent and then 12:15	18 implementation, the location register is the home 12:20
19 from the foreign agent to the mobile node. 12:16	19 agent or the foreign agent. 12:20
20 Q. So in that situation, in that 12:16	20 Q. I understand what it says there. I am now 12:20
21 implementation, the foreign agent and the home agent 12:16	21 asking you a question. 12:20
22 are not at the same physical location? 12:16	22 In your understanding of RFC 2002, are the 12:20
23 A. It's not really a different 12:16	23 home agent and foreign agent examples of location 12:20
24 implementation. It's the same implementation but 12:16	24 registers? 12:20
25 it's two different cases. In the first case, the 12:16	25 A. If I go -- if I look at RFC 2002, it 12:20
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1 discusses home agents and foreign agents, but I 12:20	1 MR. CURTIS: Objection. Form. 12:26
2 don't believe the specification itself refers to 12:20	2 Outside the scope. 12:26
3 location registers. 12:20	3 A. Well, in the context of the 728 patent, 12:26
4 Q. Do you have an understanding -- 12:20	4 there's an agreed-upon construction for location 12:26
5 A. At least I don't recall that being the 12:20	5 information, and that's information of a locational 12:26
6 case. 12:20	6 area or indoor system ID information, or both. So 12:26
7 Q. Do you have an understanding of what the 12:20	7 if you're using the agreed-upon construction of 12:26
8 word "location register" means? 12:20	8 locational area or indoor system ID information, I 12:26
9 A. I understand what location register means 12:20	9 don't see the foreign agent, if it were to be based 12:26
10 in the context of the 728 patent, and I also 12:20	10 on RFC 2002, storing that specific information. 12:26
11 understand what location register would have meant 12:21	11 BY MR. SHEASBY: 12:27
12 to a person of ordinary skill in the art at the time 12:21	12 Q. Does the home agent store that specific 12:27
13 of the patent. 12:21	13 information? 12:27
14 Q. What does it mean in the context of the 12:21	14 A. The home agent, as implemented by RFC 12:27
15 728 patent? 12:21	15 2002, would not store the location information as 12:27
16 A. In the context of the 728 patent, it 12:21	16 per the agreed-upon construction, based on my 12:27
17 refers to a device that stores location information. 12:21	17 understanding of RFC 2002. 12:27
18 Q. Does the foreign agent store location 12:21	18 MR. SHEASBY: Okay. Why don't we 12:27
19 information in RFC 2002? 12:21	19 break for lunch. 12:27
20 A. I would need to refer to the 12:21	20 THE VIDEOGRAPHER: We are off the 12:27
21 specification. 12:21	21 record at 12:29. 12:27
22 Q. Go ahead. It's been marked as an exhibit. 12:21	22 (Recess: 12:29 to 1:19 p.m.) 12:27
23 Take as much time as you need. 12:22	23 THE VIDEOGRAPHER: We are on the 01:17
24 (Pause.) 12:22	24 record at 1:19. 01:17
25 A. RFC 2002 on page 17 says that the mobile 12:23	25 BY MR. SHEASBY: 01:17
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1 node receives what's a "care of" address. So the 12:23	1 Q. Did you talk to your counsel at the break, 01:17
2 foreign agent would be aware of the mobile node 12:23	2 sir? 01:17
3 because when it receives tunnelled datagrams, it 12:24	3 A. I did not. 01:17
4 decapsulates datagrams and delivers the datagrams to 12:24	4 Q. In a cellular system, what node generates 01:17
5 the mobile node. 12:24	5 the location information? 01:18
6 Q. So now you can answer my question. In RFC 12:24	6 MR. CURTIS: Objection, form. 01:18
7 2002 does the foreign agent store location 12:24	7 A. The location information depends on what 01:18
8 information? 12:24	8 specific cellular technology is being used and the 01:18
9 A. That would depend on what you meant by 12:24	9 location information can also refer to different 01:18
10 "location information" in the context of RFC 2002. 12:24	10 types of location information. 01:18
11 Q. I mean the common understanding of that 12:25	11 For example, in some networks, the 01:18
12 phrase. 12:25	12 location information may be a distance from a cell 01:19
13 A. Mobile IP concerns itself with routing and 12:25	13 tower. In some it might be triangulated data based 01:19
14 addresses, so if by "location information" you meant 12:25	14 on measurements from multiple cell towers. In some 01:19
15 a geographical location such as latitude and 12:25	15 cases it might be GPS information generated by the 01:19
16 longitude, the foreign agent wouldn't have that kind 12:25	16 mobile device and then sent to the network. 01:19
17 of information. 12:25	17 BY MR. SHEASBY: 01:19
18 On the other hand, it works with IP 12:25	18 Q. All those are examples of locational 01:19
19 addresses, so it has an address and location, so 12:25	19 information? 01:19
20 that's what I mean it depends on the context -- 12:26	20 A. That is correct. 01:19
21 (Cross-talk.) 12:24	21 Q. Are there any other examples of locational 01:19
22 Q. Sure. In the context -- 12:26	22 information? 01:19
23 A. -- (inaudible) exactly. 12:26	23 A. The additional types of information 01:19
24 Q. In the context of the 728 patent, what 12:26	24 related to location could be the base station with 01:20
25 does location mean? 12:26	25 which a device is currently connected to, or in some 01:20
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<p>1 cases it can refer to a group of base stations. 01:20</p> <p>2 So those are some that come to mind at 01:20</p> <p>3 this time. 01:20</p> <p>4 Q. For indoor WLAN networks, is there any 01:20</p> <p>5 information stored about that network other than -- 01:20</p> <p>6 does that network pass on information other than its 01:20</p> <p>7 system ID information? 01:20</p> <p>8 MR. CURTIS: Objection. Form. 01:20</p> <p>9 Outside the scope. 01:20</p> <p>10 A. The information that is communicated in a 01:20</p> <p>11 Wi-Fi network, for instance, could include an SSID. 01:20</p> <p>12 I'm not sure if that's what we're referring to. 01:21</p> <p>13 BY MR. SHEASBY: 01:21</p> <p>14 Q. And SSID is a system ID? 01:21</p> <p>15 A. It's a name for the network. I believe it 01:21</p> <p>16 stands for subscriber set identifier, but it's a 01:21</p> <p>17 name a user or network manager can enter into the 01:21</p> <p>18 access point so the access point broadcasts that 01:21</p> <p>19 particular name of the network. 01:21</p> <p>20 Q. Is that different from an indoor system 01:21</p> <p>21 ID? 01:21</p> <p>22 A. The indoor system ID information is one of 01:22</p> <p>23 the agreed-upon construction's information uniquely 01:22</p> <p>24 identifying the indoor network. The patent, I don't 01:22</p> <p>25 believe, mentions SSID. 01:22</p> <p style="text-align: right;">Page 90</p>	<p>1 to look at the specifications for each of them to 01:24</p> <p>2 see exactly what kind of information they may have 01:25</p> <p>3 broadcast. 01:25</p> <p>4 BY MR. SHEASBY: 01:25</p> <p>5 Q. Did you investigate whether WLAN networks 01:25</p> <p>6 at the time of the patent broadcast information 01:25</p> <p>7 about their location beyond system ID? 01:25</p> <p>8 A. In developing my declaration I did not 01:25</p> <p>9 consider that question. 01:25</p> <p>10 Q. How does the system ID information provide 01:25</p> <p>11 location information? 01:25</p> <p>12 MR. CURTIS: Objection, form. 01:25</p> <p>13 A. In the context of the patent, the indoor 01:25</p> <p>14 system ID information would provide location 01:26</p> <p>15 information to the extent that if you knew the 01:26</p> <p>16 locations where that indoor system ID information 01:26</p> <p>17 was being broadcast, then you could identify the 01:26</p> <p>18 location of the device to the coverage area of where 01:26</p> <p>19 that indoor system ID information was being 01:26</p> <p>20 provided. 01:26</p> <p>21 BY MR. SHEASBY: 01:26</p> <p>22 Q. Does location information in the patent 01:26</p> <p>23 require that it be geographic information? 01:26</p> <p>24 A. I'd have to review the patent to be sure, 01:26</p> <p>25 but I don't recall a discussion of geographic 01:26</p> <p style="text-align: right;">Page 92</p>
<p>1 Q. Right. 01:22</p> <p>2 Does SSID provide location information on 01:22</p> <p>3 where a device is located? 01:22</p> <p>4 MR. CURTIS: Objection, form. Outside 01:22</p> <p>5 the scope. 01:22</p> <p>6 A. It would depend on the implementation, but 01:22</p> <p>7 generally speaking I would say no. 01:22</p> <p>8 BY MR. SHEASBY: 01:22</p> <p>9 Q. Why do you say that? 01:22</p> <p>10 A. Well, for instance, I can have multiple 01:23</p> <p>11 access points broadcasting the same SSID, so the 01:23</p> <p>12 SSID that I receive only tells me that I can connect 01:23</p> <p>13 to a network with that name. It doesn't necessarily 01:23</p> <p>14 tell me what location I'm in. 01:23</p> <p>15 Q. In a WLAN base station it broadcasts 01:24</p> <p>16 information beyond its system ID. Correct? 01:24</p> <p>17 A. I would have to look at the specific 01:24</p> <p>18 wireless LAN technology to answer that question. 01:24</p> <p>19 Q. As a general rule at the time of the 01:24</p> <p>20 patent, WLAN networks broadcast more than just their 01:24</p> <p>21 system ID. Correct? 01:24</p> <p>22 MR. CURTIS: Objection, form. Outside 01:24</p> <p>23 the scope. 01:24</p> <p>24 A. At the time of the patent there were 01:24</p> <p>25 multiple wireless LAN technologies, and I would have 01:24</p> <p style="text-align: right;">Page 91</p>	<p>1 information with respect to parameters such as 01:27</p> <p>2 latitude or longitude. 01:27</p> <p>3 Q. Well, why don't you go ahead and read the 01:27</p> <p>4 patent and tell me whether location information 01:27</p> <p>5 requires geographic information in the patent? 01:27</p> <p>6 MR. CURTIS: Objection, form. Outside 01:27</p> <p>7 the scope. 01:27</p> <p>8 A. Well, I don't know if it's really 01:27</p> <p>9 necessary to read the patent because location 01:27</p> <p>10 information is an agreed-upon construction 01:27</p> <p>11 specifically meaning information in a locational 01:27</p> <p>12 area or indoor system ID information. 01:27</p> <p>13 BY MR. SHEASBY: 01:27</p> <p>14 Q. And does the locational area require 01:27</p> <p>15 geographic information? That's the question I'm 01:27</p> <p>16 asking. 01:27</p> <p>17 A. Well, as construed, the term refers to 01:27</p> <p>18 either locational area or indoor system ID 01:28</p> <p>19 information, so I suppose it would depend on what 01:28</p> <p>20 you mean precisely by "geographic information." 01:28</p> <p>21 Q. What does locational area mean? 01:28</p> <p>22 MR. CURTIS: Objection, form. Outside 01:28</p> <p>23 the scope. 01:28</p> <p>24 A. I'd have to refer to the patent. Do you 01:28</p> <p>25 want me to do that? 01:28</p> <p style="text-align: right;">Page 93</p>

<p>1 State of Oregon)) ss. 2 County of Lane) 3 4 I, Sara Fahey Wilson, CSR, a Certified Shorthand 5 Reporter for the State of Oregon, certify that the 6 witness was sworn and the transcript is a true 7 record of the testimony given by the witness; that 8 at said time and place I reported all testimony and 9 other oral proceedings had in the foregoing matter; 10 that the foregoing transcript consisting of 101 11 pages contains a full, true and correct transcript 12 of said proceedings reported by me to the best of my 13 ability on said date. 14 If any of the parties or the witness requested 15 review of the transcript at the time of the 16 proceedings, such correction pages are attached. 17 IN WITNESS WHEREOF, I have set my hand this 13 18 day of April 2021, in the City of Eugene, County of 19 Lane, State of Oregon. 20 21 22  23 Sara Fahey Wilson, CSR 24 CSR No. 06-0400 25 Expiration Date: March 31st, 2023</p> <p style="text-align: right;">Page 102</p>	
<p>1 DECLARATION 2 3 I hereby declare I am the deponent in the within 4 matter; that I have read the foregoing transcript and 5 know the contents thereof; and I declare that the same 6 is true of my knowledge except as to the matters which 7 are therein stated upon my information or belief, and as 8 to those matters, I believe them to be true. 9 I declare under the penalties of perjury 10 under the laws of the United States that the 11 foregoing is true and correct. 12 13 This declaration is executed this _____ day 14 of _____, 20____, at 15 _____, _____. 16 17 18 19 _____ 20 PETER RYSAVY 21 22 23 24 25</p> <p style="text-align: right;">Page 103</p>	